

## AFFIDAVIT

Your Affiant, Adam T. Lane, deposes and states:

1. Your Affiant is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), United States Department of Justice, and has been so employed since August of 2018. Prior to employment in law enforcement your affiant received a Bachelor of Arts in Criminal Justice and a Master of Business Administration from Lindenwood University in St. Charles, Missouri. Prior to becoming a Special Agent with ATF, your Affiant was a Special Agent and Trainee with the United States Secret Service from October 2017 through August 2018. Your affiant was also a St. Louis County Police Officer from December 2007 to October 2017 serving in the Divisions on Patrol and Special Operations. Your Affiant has completed the St. Louis County and Municipal Police Academy, the Federal Criminal Investigator Training Program, the United States Secret Service Special Agent Basic Training Academy in Beltsville Maryland, and the ATF Special Agent Basic Training at the Federal Law Enforcement Training Center in Glynco, Georgia. In addition to the firearms, arson, and explosives related training received in these courses, your Affiant has also conducted and participated in numerous investigations involving the possession of firearms by prohibited persons, firearms trafficking, and the straw purchase of firearms.
2. This Affidavit is being submitted for the limited purpose of establishing probable cause that David CARROLL has violated Title 18 United States Code Section 922(g)(1), possession of a firearm by a prohibited person. CARROLL had previously been convicted of Reckless Homicide, a felony of the third degree, and Robbery, a felony of the third degree, in Cuyahoga County Court of Common Pleas Court Case CR-07-

498982-B, on or about November 10, 2008. In addition, CARROLL had also previously been convicted of Felon in Possession of a Firearm, in the Northern District of Ohio, Eastern Division, in U.S. District Court Case 1:10CR108, on or about July 27, 2010.

3. The statements contained in this affidavit are derived from information provided to me by Task Force Officers of the ATF, Detectives from the Cleveland Police Department (CPD), Deputies from the Cuyahoga County Sheriff's Office (CCSO) , as well as my own investigation of this matter. This affidavit does not include every fact known to me regarding this investigation, but will seek to summarize relevant information for the purpose of establishing probable cause.

#### **PROBABLE CAUSE**

##### **March 27, 2022- Berea Gun Show**

4. On March 27, 2022, ATF Special Agents (“SAs”), Task Force Officers (“TFOs”), and Detectives from the Cleveland Police Department (“CPD”) conducted surveillance in an undercover capacity at the Ohio Gun, Knife, and Military Show at the Cuyahoga Fairgrounds in Berea, Ohio, for the purpose of gathering intelligence on individuals suspected of making straw purchases of firearms, trafficking firearms, and possession of firearms and ammunition by prohibited person(s). Deputies from the Cuyahoga County Sheriff's Office (“CCSO”) were also positioned in marked patrol vehicles outside of the fairgrounds to assist with the gun show operation.
5. During the surveillance, law enforcement personnel were positioned on the floors of the gun show and within the parking lots. At approximately 10:15 A.M., while parked in the parking lot of the gun show, SAs Nathan Schwartz and Gregory Loerch checked the license plates of various cars in the parking lot by looking them up in Ohio Law

Enforcement Gateway (“OHLEG”). SAs Schwartz and Loerch observed a red, 1992, Chevrolet Blazer bearing Ohio license plate number JNR3096, back into a parking space on the southwest parking lot of the fairgrounds, adjacent to Eastland Road. SA Schwartz conducted a query of the license plate through OHLEG, which showed a photo and pedigree information for the registered owner of the Blazer, identified as David CARROLL. A further query of CARROLL of in OHLEG revealed that he was a multi-convicted felon who was federally prohibited from possessing firearms and ammunition. CARROLL was identified by SA Schwartz as the person operating the Chevrolet Blazer.

6. SAs Schwartz and Loerch observed CARROLL walk through the parking lot toward the gun show building. SAs observed that CARROLL had what appeared to be a black Glock gun box in his left hand. SAs, TFOs and CPD Detectives on surveillance were then advised that CARROLL had entered the gun show so that they could watch him move around. SA Schwartz initially followed CARROLL into the gun show and continued to surveil CARROLL with the assistance of other law enforcement personnel.
7. During the surveillance, SA Schwartz observed CARROLL continue to carry the black gun box as he went from table-to-table browsing firearms and accessories.
8. SA Adam Lane (your Affiant) observed CARROLL visit several booths of private sellers. SA Lane stood next to CARROLL as CARROLL spoke to an unknown private seller. SA Lane overheard CARROLL inform the private seller that he (CARROLL) had multiple “AK’s and a .50 Cal” at his residence, which he was trying to sell. Based on his training and experience, SA Lane understands these terms to be descriptions of different firearms, such as AK-47s rifles and guns that can shoot .50 caliber ammunition.

CARROLL then showed his cellular phone, appeared to show the private seller photographs, and continued speaking about the “AK’s and .50 Cal.”

9. SA Lane observed CARROLL handle several firearms at the booths of private sellers while on the gun show floor. SA Lane also observed CARROLL open the gun box he was carrying, removed a firearm that appeared to be a Glock semiautomatic pistol, and showed the firearm to a person at a booth who appeared to be selling Glock accessories.
10. SA Lane returned to his vehicle while other SAs, TFOs, and CPD Detectives continued to monitor CARROLL’s movements on the gun show floor. SA Lane contacted the Joint Support Operations Center (“JSOC”) to complete a full computerized criminal history (“CCH”) of CARROLL. The CCH of CARROLL confirmed that CARROLL had previous felony convictions for Reckless Homicide, Robbery, and Felon in Possession of a Firearm. The CCH further revealed that CARROLL had been a previous ATF Defendant, which means that he was investigated previously by ATF for firearms-related offenses.
11. While SA Lane was speaking with the JSOC, SAs, TFOs and CPD Detectives continued to monitor CARROLL’s movements. SA Gerrod Briggs and CPD Det. Cynthia Moore observed CARROLL at multiple Federal Firearm Licensee (FFL) and private seller tables. SA Briggs and Det. Moore observed CARROLL handle multiple firearms as well as speak to the individuals at the tables about firearms. CARROLL spoke at one table about firearms that he currently had at his residence, mentioning multiple AR-style rifles and pistols as well as AK style “Draco” pistols. SA Briggs watched CARROLL show a photograph of an AR-style rifle and an AK style pistol to multiple individuals and heard CARROL stated that he kept the depicted firearms at his residence.

12. SA Schwartz and TFO Nathan Gobel then observed CARROLL purchase two (2) fifty (50) round boxes of PPU .357 ammunition from the J&C Ammo booth. CARROLL exited the building and walked into the parking lot holding the ammunition and the Glock Gun Box. CARROLL walked into the view of SA Lane, who observed CARROLL walk to his Blazer and retrieve a plastic bag. CARROLL then walked back through the parking lot holding the Glock box and plastic bag. SA Lane then saw CARROLL retrieve money from a nearby ATM that was adjacent to one of the gun show buildings. CARROLL then re-entered the gun show floor.
13. CARROLL was observed by SAs, TFOs and CPD Detectives browsing at various booths and speaking with sellers and vendors. A short time later, CARROLL was observed exiting the gun show floor, at which time he walked back to his vehicle and entered the driver's seat. Due to CARROLL being a prohibited person who was observed multiple times as being in possession of a firearm and ammunition, SA Lane requested members of the CCSO conduct a traffic stop of CARROLL's vehicle upon him exiting the gun show property. A short time later, CARROLL was observed driving through the parking lot in his Blazer between the various gun show buildings before he drove toward the Bagley Road exit. Upon leaving the gun show premises, CCSO Deputies conducted a traffic stop of CARROLL's vehicle at/around the entrance to the Residence Inn, located at 19149 E. Bagley Road, Middleburg Heights, Ohio 44130. This location is in the Northern District of Ohio, Eastern Division.
14. CARROLL was ordered by CCSO Deputies to exit the vehicle, to which he complied. CARROLL was secured in handcuffs and detained on scene in the rear of a CCSO vehicle. CCSO Deputies observed, in plain view on the front passenger seat of

CARROLL's Blazer, the Glock gun box and the black plastic bag that contained the ammunition that CARROLL was seen carrying and purchasing.

15. Based on prior observations that the black gun box contained a firearm that law enforcement officers saw CARROLL remove at the gun show, officers opened the gun box. The box contained a firearm, further described as a Glock Semi-Automatic Pistol, Model 32, .357 caliber, Handgun, bearing a serial number of MEN948. A further check of the black plastic bag revealed .357 ammunition and various firearms accessories, including a 40 caliber S&W Barrell, and a plastic grip.

#### **Interstate Nexus Determination**

16. On April 6, 2022, ATF Interstate Nexus Special Agent Cory Miles advised your affiant that the subject firearm (Glock) was not manufactured in the State of Ohio. Thus, the aforementioned firearm must have traveled in interstate commerce to be found in the State of Ohio.

#### **Conclusion**

17. Based upon the above listed facts and circumstances, your Affiant believes and asserts that there is probable cause to believe that on March 27, 2022, David CARROLL did possess a firearm after having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, U.S.C. 922(g)(1).

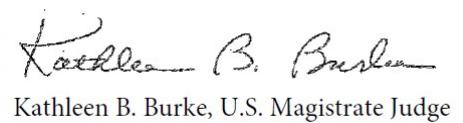
18. The above violation was committed in the Northern District of Ohio, Eastern Division.

Your Affiant requests that an arrest warrant be issued for David CARROLL.



Adam Lane  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms and  
Explosives

This affidavit was sworn to by the affiant  
by telephone after a PDF was transmitted  
by email, per Crim. R. 3, 4(d), and 4.1,  
this 17 day of May, 2022.



Kathleen B. Burke  
Kathleen B. Burke, U.S. Magistrate Judge